

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re

Lordstown Motors Corp., *et al.*,¹

Debtors.

Chapter 11

Case No. 23-10831 (MFW)

(Jointly Administered)

**Re: Docket Nos. 651, 657, 766 941 &
1014**

**NOTICE OF FILING OF FIRST SUPPLEMENTAL PLAN
SUPPLEMENT FOR THE THIRD MODIFIED FIRST
AMENDED JOINT CHAPTER 11 PLAN OF LORDSTOWN
MOTORS CORP. AND ITS AFFILIATED DEBTORS**

PLEASE TAKE NOTICE that on November 1, 2023, the United States Bankruptcy Court for the District of Delaware (the “**Bankruptcy Court**”) entered an order [Docket No. 651] (the “**Disclosure Statement Order**”): (a) approving the *Disclosure Statement Pursuant to 11 U.S.C. § 1125 with Respect to Modified First Amended Joint Chapter 11 Plan of Lordstown Motors Corp. and Its Affiliated Debtors* (together with all schedules and exhibits thereto, and as may be modified, amended, or supplemented from time to time, the “**Disclosure Statement**”) and the form and manner of notice; (b) approving procedures for soliciting, receiving, and tabulating votes on the Plan and for filing objections to the Plan (the “**Solicitation Procedures**”); (c) approving the forms of ballots; (d) approving the form, manner and scope of confirmation notices; (e) establishing certain deadlines in connection with approval of the Disclosure Statement and confirmation of the Plan (defined below); and (f) granting related relief.

PLEASE TAKE FURTHER NOTICE that, on December 1, 2023, the Debtors filed *Notice of Filing of Plan Supplement for the Modified First Amended Joint Chapter 11 Plan of Lordstown Motors Corp. and Its Affiliated Debtors* [Docket No. 766] (the “**Original Plan Supplement**”).

PLEASE TAKE FURTHER NOTICE that, on January 31, 2024, the Debtors filed the *Second Modified First Amended Joint Chapter 11 Plan of Lordstown Motors Corp. and Its Affiliated Debtors* [Docket No. 941].

¹ The Debtors and the last four digits of their respective taxpayer identification numbers are: Lordstown Motors Corp. (3239); Lordstown EV Corporation (2250); and Lordstown EV Sales LLC (9101). The Debtors’ service address is 27000 Hills Tech Ct., Farmington Hills, MI 48331.

PLEASE TAKE FURTHER NOTICE that, on February 27, 2024, the Debtors filed the *Third Modified First Amended Joint Chapter 11 Plan of Lordstown Motors Corp. and Its Affiliated Debtors* [Docket No. 1014] (together with all schedules and exhibits thereto, and as may be modified, amended, or supplemented from time to time, the “**Plan**”)²

PLEASE TAKE FURTHER NOTICE that, by this notice (the “**First Supplemental Plan Supplement**”) the Debtors hereby file (a) the following amended exhibits: (i) revised New Organizational Documents (attached as **Exhibit A-1**), along with a blackline to the prior draft of the New Organizational Documents (attached as **Exhibit A-2**) and (ii) a revised Schedule of Retained Causes of Action (attached as **Exhibit C-1**), along with a blackline to the prior draft of the Schedule of Retained Causes of Action (attached as **Exhibit C-1**), and (b) the following exhibits not previously included in the Original Plan Supplement: (i) information regarding the Allowed and Disputed Claims Reserve (the “**GUC Reserve**,” attached as **Exhibit E**), (ii) a disclosure regarding the identity of the Litigation Trustee (attached as **Exhibit G**), (iii) the form of Litigation Trust Agreement governing appointment of the Litigation Trustee (attached as **Exhibit H**), (iv) a list of contracts being rejected pursuant to the Plan (attached as **Exhibit I**), (v) a schedule of asserted claims that would result in a reduction to the reserve upon disallowance or partial disallowance (attached as **Exhibit J**), and (vi) proposed notices related to the Ohio Securities Litigation Settlement incorporated into the Plan (attached as **Exhibit K**). A chart of the complete Plan Supplement is as follows:

Exhibit	Document³	Reference
A-1	New Organizational Documents	Attached hereto as <u>Exhibit A-1</u>
A-2	Blackline of New Organizational Documents to December 1, 2023 Draft	Attached hereto as <u>Exhibit A-2</u>
B	Identities of members of the New Board and Officers of Post-Effective Date Debtors	Docket No. 766, Ex. B
C-1	Schedule of Retained Causes of Action	Attached hereto as <u>Exhibit C-1</u>
C-2	Blackline of Schedule of Retained Causes of Action to December 1, 2023 Draft	Attached hereto as <u>Exhibit C-2</u>
D	Post-Effective Date Debtor Amount	Docket No. 766, Ex. D
E	GUC Reserve	Attached hereto as <u>Exhibit E</u>
F	Identity of Claims Ombudsman	Docket No. 766, Ex. F

² Capitalized terms used but not otherwise defined herein have the meanings ascribed to such terms in the Plan or the Disclosure Statement, as applicable.

³ The exhibits set forth in the Plan Supplement remain subject to ongoing review and material revision in all respects.

Exhibit	Document³	Reference
G	Identity of Litigation Trustee	Attached hereto as <u>Exhibit G</u>
H	Litigation Trust Agreement	Attached hereto as <u>Exhibit H</u>
I	Schedule of Contracts Rejected Pursuant to Plan	Attached hereto as <u>Exhibit I</u>
J	Asserted Claims Schedule	Attached hereto as <u>Exhibit J</u>
K-1	Ohio Settlement Notice – Post-Card Notice	Attached hereto as <u>Exhibit K-1</u>
K-2	Ohio Settlement Notice – Publication Notice	Attached hereto as <u>Exhibit K-2</u>

PLEASE TAKE FURTHER NOTICE that the documents, schedules, and other information contained in this Plan Supplement (in each case, as may be amended, modified, or supplemented) are integral to and part of the Plan. These documents have not yet been approved by the Bankruptcy Court. If the Plan is approved, the documents contained in the Plan Supplement will be approved by the Bankruptcy Court pursuant to the Confirmation Order.

PLEASE TAKE FURTHER NOTICE that the Debtors reserve all rights to amend, modify, or supplement the Plan Supplement, and any of the documents contained therein, in accordance with the terms of the Plan. If material amendments or modifications are made to any of these documents, the Debtors will file a blackline with the Bankruptcy Court prior to the Confirmation Hearing marked to reflect the same.

PLEASE TAKE FURTHER NOTICE THAT a hearing to consider confirmation of the Plan (the “**Confirmation Hearing**”) has been scheduled for **March 5, 2024 at 3:00 p.m. (prevailing Eastern Time)**, before the Honorable Mary F. Walrath, United States Bankruptcy Judge, at the Bankruptcy Court, located at 824 North Market Street, Fifth Floor, Courtroom No. 4, Wilmington, Delaware 19801. **The Confirmation Hearing may be adjourned or continued from time to time by the Bankruptcy Court or the Debtors without further notice other than adjournments announced in open court or as indicated in any notice of agenda of matters scheduled for hearing filed by the Debtors with the Bankruptcy Court.**

PLEASE TAKE FURTHER NOTICE THAT you may obtain the Plan, the Disclosure Statement, the Plan Supplement, or related documents from Kurtzman Carson Consultants LLC (the “**Solicitation Agent**”) free of charge by: (a) calling the Debtors’ toll-free restructuring hotline at (877) 709-4757 (U.S./Canada) or (424) 236-7235 (international); (b) visiting the Debtors’ restructuring website at <https://www.kccllc.net/lordstown>; (c) writing to Lordstown Processing Center, c/o Kurtzman Carson Consultants LLC, 222 N. Pacific Coast Highway, Suite 300, El Segundo, CA 90245; or (d) emailing lordstowninfo@kccllc.com (with ‘Lordstown’ in the subject line).

You may also access from these materials for a fee via PACER at <http://www.deb.uscourts.gov/>.

YOU ARE ADVISED TO CAREFULLY REVIEW AND CONSIDER THE PLAN, INCLUDING THE DISCHARGE, INJUNCTION, RELEASE, AND EXCULPATION PROVISIONS CONTAINED IN ARTICLE VIII OF THE PLAN. ARTICLE VIII.D OF THE PLAN CONTAINS THIRD-PARTY RELEASES. THUS, YOU ARE ADVISED TO REVIEW AND CONSIDER THE PLAN CAREFULLY BECAUSE YOUR RIGHTS MIGHT BE AFFECTED THEREUNDER.

THIS NOTICE IS BEING SENT TO YOU FOR INFORMATIONAL PURPOSES ONLY. IF YOU HAVE QUESTIONS WITH RESPECT TO YOUR RIGHTS UNDER THE PLAN OR ABOUT ANYTHING STATED HEREIN OR IF YOU WOULD LIKE TO OBTAIN ADDITIONAL INFORMATION, PLEASE CONTACT THE SOLICITATION AGENT AS SPECIFIED ABOVE. PLEASE NOTE THAT THE SOLICITATION AGENT MAY NOT PROVIDE LEGAL ADVICE. IF YOU NEED LEGAL ADVICE, PLEASE CONSULT WITH YOUR ATTORNEY.

Dated: February 27, 2024

Respectfully submitted,

/s/ Morgan L. Patterson

**WOMBLE BOND DICKINSON (US)
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